

STATE OF KENTUCKY - - - - -NICHOLAS COUNTY FISCAL COURT
 REGULAR OCTOBER TERM - - - - - TUESDAY, JANUARY 11, 2010 AT 6:00 P.M.

Present were Magistrates: Mike Webb, Jimmy Wells, Darvin Mitchell, Jeff Randolph and Steve Hamilton. County Attorney Dawn Letcher. County Judge/Executive Kenneth Lyons presiding.

Motion made by Jeff Randolph, second by Mike Webb to approve Interlocal agreement with BGADD resolution. All voting for.

BGADD
 RESOLUTION

RESOLUTION

A Resolution authorizing the signing of an Interlocal Cooperation Agreement pursuant to KRS 65.210 et. seq. with the Fiscal Courts of Anderson, Bourbon, Boyle, Clark, Estill, Franklin, Garrard, Harrison, Jessamine, Lincoln, Madison, Mercer, Nicholas, Powell, Scott, Woodford, and Lexington-Fayette Urban County Government for the purpose of re-certifying the Bluegrass Workforce Investment Board Consortium to administer programs in accordance with the Workforce Investment Act of 1998.

WHEREAS, the Workforce Investment Act of 1998, enacted by the Congress of the United States, provides for grants of federal funds to state and local governments for programs designed to address workforce development issues and with the view to serving workforce and economic needs; and,

WHEREAS, the Nicholas County Fiscal Court recognizes that local workforce development programs cannot be completely effective or implemented without intergovernmental coordination for the reason that such programs and their implementation cross governmental, departmental and agency lines at various government levels; and,

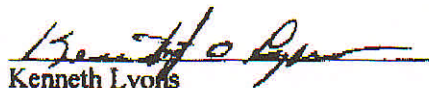
WHEREAS, the Fiscal Court desires to enter into an Interlocal Cooperation Agreement, pursuant to the provisions of KRS 65.210, et. seq., with Anderson, Bourbon, Boyle, Clark, Estill, Franklin, Garrard, Harrison, Jessamine, Lincoln, Madison, Mercer, Nicholas, Powell, Scott, Woodford, and Lexington-Fayette Urban County Government, for the above stated purposes:

**NOW, THEREFORE, BE IT RESOLVED BY THE FISCAL COURT OF
NICHOLAS COUNTY, KENTUCKY AS FOLLOWS:**

That Kenneth Lyons, Nicholas County Judge/Executive, is hereby authorized to enter into and execute an Interlocal Cooperation Agreement, pursuant to KRS 65.210, et. seq., with Anderson, Bourbon, Boyle, Clark, Estill, Franklin, Garrard, Harrison, Jessamine, Lincoln, Madison, Mercer, Nicholas, Powell, Scott, Woodford, and Lexington-Fayette Urban County

Government, a copy of which is attached hereto and made a part hereof for the purpose of re-certifying the Bluegrass Workforce Investment Board Consortium to implement programs under the Workforce Investment Act of 1998.

(2) This Resolution shall take effect upon its passage and approval.



Kenneth Lyons
Nicholas County Judge/Executive
On Behalf of the Nicholas County Fiscal Court

APPROVED AS TO FORM AND LEGALITY:



Nicholas County Attorney

Adopted by the Nicholas County Fiscal Court at its regular meeting on 11th day of January, 2011, and on the same occasion signed in open session by Kenneth Lyons, Nicholas County Judge Executive, pursuant to KRS 67.040, attested under seal by Dana R. Prew, Nicholas County Fiscal Court Clerk and declared to be in full force and effect.

ATTEST:



Fiscal Court Clerk
Nicholas County, Kentucky

CERTIFICATION

I, Dana R. Prew, Clerk of the Fiscal Court of Nicholas County, Kentucky, do hereby certify that the foregoing is a true and correct copy of the Nicholas County Fiscal Court Resolution regarding re-establishment and of an Interlocal Cooperation Agreement pursuant to KRS 65.210 et. seq., adopted by the Nicholas County Fiscal Court at its regular meeting on 11th day of January, 2011.

WITNESS my hand this 11th day of January, 2011.



COUNTY CONTINUITY OF GOVERNMENT
RESOLUTION

WHEREAS, the Nicholas County Fiscal Court deems it necessary to provide for the orderly succession of Office of Judge/Executive in the event of the absence or disability of the Judge/Executive as defined in KRS 67.725 when involving a national, State or local emergency; and WHEREAS, under Kentucky Law KRS 63.190, any vacancy in the Office of the Judge/Executive is filled by the Governor. When a vacancy occurs, the County Clerk is responsible for notifying the Governor of the vacancy under KRS 63.210. A County Judge/Executive appointed in this manner serves in accordance with Section 152 of the Kentucky State Constitution; and WHEREAS, the line of succession contained in this RESOLUTION is to insure that a county governmental official is available to serve in the absence or disability of the Judge/Executive, Deputy Judge/Executive, or any successor.

It is therefore RESOLVED that when the absence or disability of Nicholas County Judge/Executive Kenneth C. Lyons shall prevent his/her serving in the Office during a national, State or local emergency, the duties and responsibilities of the County Judge/Executive shall be administered temporarily by the Deputy County Judge/Executive Dana R. Price as set forth in KRS 67.730 (Name) and 67.735.

It is also RESOLVED that if neither the County Judge/Executive nor the Deputy County Judge/Executive is able to serve in the Office of Judge/Executive by reason of absence or disability, then the duties of the Office of Judge/Executive shall be assumed temporarily by a member of the Nicholas County Fiscal Court as set forth in KRS 67.740 and 67.745.

- (1) Jeff Randolph (2) Steve Hamilton
(3) Mike Webb (4) Jimmy Wells
(5) Darvin Mitchell

APPROVED: _____ January 11, 20 11

By Kenneth C. Lyons
Judge Executive

ATTESTED:

BY: Dana R. Price
Fiscal Court Clerk

PLICANTS Motion made to approve Designation of Applicants Agent for 2011 made by Darvin
ENT Mitchell, second by Jeff Randolph. All voting for. SEE PAGE 665 FOR COPY.

11

SHERIFF'S Motion made by Jeff Randolph, second by Mike Webb to approve Sheriff's 2011
BUDGET Budget. All voting for.

SHERIFF'S Motion made by Steve Hamilton, second by Darvin Mitchell to approve Sheriff's
DEPUTIES Deputies salaries for 2011. All voting for.
SALARIES

COUNTY Motion made by Mike Webb, second by Jimmy Wells to table County Clerk's Financial
CLERK Statement for 2010. All voting for.
IN. ST.

EMPLOYEES Motion made by Jeff Randolph, second by Darvin Mitchell to rehire all county
REHIRE employees for 4 years and reappoint EMA Director, County Road Supervisor and
County Treasurer. All voting for.

COUNTY Motion made by Steve Hamilton, second by Jimmy Wells to approve bonds for all
BONDS county officials. All voting for.

COUNT Motion made by Mike Webb, second by Darvin Mitchell to set up new account in
DOG General Fund 01-5205-406 for Dog Shelter Grant. All voting for.
SHELTER

HOSPITAL Motion made by Steve Hamilton, second by Mike Webb to approve Hospital
APPOINTMENT appointment recommendation by Steve Hamilton for Janna Caswell for 3yrs.
All voting for.

TREASURER Motion made by Jeff Randolph, second by Mike Webb to approve Treasurer's
MONTHLY monthly report. All voting for.
REPORT

COUNTY Motion made by Steve Hamilton, second by Jeff Randolph to approve monthly bills.
BILLS Five voting for. Judge Lyons wanted to be on record as not approving Thunderheart
Studio Bill, but approving all the other bills.
Road Fund bills motion made by Mike Webb, second by Steve Hamilton. All voting
for.
Mathers Fund bills motion made by Jimmy Wells, second by Mike Webb. All voting
for.
Jail Fund bills motion made by Steve Hamilton, second by Jeff Randolph.
All voting for.
Landfill/Convience Center bills motion made by Mike Webb, second by Darvin
Mitchell. All voting for.

QUARTERLY Quarterly report will be in balance and in Frankfort by 1-20-11.
REPORT

HEALTH Humana Health Insurance plan was chosen for 2011.
INS.

MINUTES Motion made by Steve Hamilton, second by Mike Webb to approve minutes from
previous meeting. All voting for.

ADJOURN Motion to adjourn made by Mike Webb, second by Darvin Mitchell. All voting for.

TAB V-3-2
DESIGNATION OF APPLICANT'S AGENT

RESOLUTION

BE IT RESOLVED BY Nicholas Co. Fiscal Court OF Nicholas County
(Governing Body) (Public Entity)

THAT Dana R. Price Applicant's Agent
(Name of Incumbent) (Official Position)

is hereby authorized to execute for and in behalf of Nicholas County Fiscal Court

_____ a public entity established under the laws of the Commonwealth of Kentucky, this application and to file it in the appropriate State office for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 288, 93rd Congress) or otherwise available from the President's Disaster Relief Fund.

THAT Nicholas County Fiscal Court _____ a public entity established under the laws of the

Commonwealth of Kentucky, hereby authorizes its agent to provide to the State and to the Federal Emergency Management Agency (FEMA) for all matters pertaining to such Federal disaster assistance the assurances and agreements printed on the reverse side hereof.

Passed and approved this 11th. day of January, 2011

Kenneth C. Lyons, County Judge/Executive
(Name and Title)

(Name and Title)

(Name and Title)

CERTIFICATION

I, Kenneth C. Lyons _____, duly appointed and County Judge/Executive of _____
(Title)

Nicholas County _____, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Fiscal Court of Nicholas County
(Governing Body) (Public Entity)

on the 11th. day of January, 2011

Date: January 11, 2011

County Judge/Executive
(Official Position)

Kenneth C. Lyons
(Signature)